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SUMMARY OF MEETING

COMMITTEE ON LEGAL SERVICES

August 25, 2017

The Committee on Legal Services met on Friday, August 25, 2017, at 9:12 a.m. in SCR 352. The following members were present:

Senator Cooke, Chair
Senator Gardner
Senator Guzman
Senator Holbert
Senator Kagan
Representative Foote, Vice-chair (present at 11:45 a.m.)
Representative Herod (present at 9:30 a.m.)
Representative Lee
Representative Willett
Representative Wist

Senator Cooke called the meeting to order and then Justin Hood with Legislative Information Services went over the process and procedure of video conferencing with the Committee.

Representative Wist said our Subcommittee had discussed providing some guidelines to the Committee on interviewing do's and don'ts and I think there are some specific bullets on that in the handout of the slides. I tried to find a one-page document for you from my law firm. I work for a labor and employment firm and there is a wealth of resources and information, but the best source I found was a 78-page PowerPoint presentation so I will spare you the 78 pages. The 3 pages in

the handout really cut to the basics of do's and don'ts and I think this is common sense for everyone on the Committee. I just wanted to remind everyone specifically that there are specific things we should not inquire of during interviews that could trigger a potential claim under state and federal employment laws.

9:16 a.m. – The Committee addressed agenda item 1 – Executive Session pursuant to section 24-6-402 (3)(b), C.R.S., to discuss personnel matters and interview candidates for the position of Director of the Office of Legislative Legal Services; Review of the Interview Questions and the Interview Process; and Interviews for the Position of Director of the Office of Legislative Legal Services.

Senator Cooke said on the advice of legal counsel from the Office of Legislative Legal Services the Committee on Legal Services will be going into executive session in accordance with section 24-6-402 (3)(b), C.R.S. to discuss personnel matters and to interview applicants for the position of Director of the Office of Legislative Legal Services.

9:16 a.m.

Senator Gardner moved that the Committee on Legal Services meet in executive session in accordance with section 24-6-402 (3)(b), C.R.S., for the purpose of discussing personnel matters and to interview applicants for the position of Director of the Office of Legislative Legal Services on the basis that the candidates being considered today have requested that these proceedings be held in executive session. The motion passed on a vote of 8-0 with Senator Gardner, Senator Guzman, Senator Holbert, Senator Kagan, Representative Lee, Representative Willett, Representative Wist, and Senator Cooke voting yes. The Committee went into executive session.

3:20 p.m.

The Committee returned from executive session.

3:21 p.m. – The Committee addressed agenda item 2 – Recommendations of the Committee on Legal Services to the Executive Committee regarding the Appointment of the Director of the Office of Legislative Legal Services.

3:25 p.m.

Senator Kagan moved that the exclusive name of Sharon Eubanks be forwarded to the Executive Committee. A substitute motion was made after this motion and therefore no vote was taken on this motion.

3:27 p.m.

Senator Gardner moved a substitute motion that the two names of Sharon Eubanks and Julie Pelegrin be forwarded to the Executive Committee as this Committee's recommendation as finalists for the Director position. Representative Wist moved a substitute motion that the names of Sharon Eubanks, Julie Pelegrin, and Christy Chase be submitted to the Executive Committee. It was determined by the Committee that the Gardner motion needed to be voted on before a vote could be taken on the Wist substitute motion, and that since the Committee was operating under Senate rules due to a Senate chair that the Gardner motion was not a settled question. The Gardner Substitute motion passed on a vote of 8-2 with Senator Gardner, Senator Guzman, Representative Herod, Senator Holbert, Senator Kagan, Representative Lee, Representative Willett, and Representative Foote voting yes and Representative Wist and Senator Cooke voting no.

3:32 p.m.

Representative Wist then moved a substitute motion that the names of Sharon Eubanks, Julie Pelegrin, and Christy Chase be submitted to the Executive Committee. The motion failed on a vote of 4-6 with Representative Willett, Representative Wist, Representative Foote, and Senator Cooke voting yes and Senator Gardner, Senator Guzman, Representative Herod, Senator Holbert, Senator Kagan, and Representative Lee voting no.

3:35 p.m.

Senator Kagan moved that the sole name of Sharon Eubanks be forwarded to the Executive Committee. The motion failed on a vote of 4-6 with Senator Guzman, Senator Kagan, Representative Willett, and Representative Wist voting yes and Senator Gardner, Representative Herod, Senator Holbert, Representative Lee, Representative Foote, and Senator Cooke voting no.

Senator Cooke then confirmed that the names to be forwarded to the Executive Committee are Sharon Eubanks and Julie Pelegrin.

Senator Cooke said Ms. Haskins is going to type up a formal letter that I will sign on Tuesday to submit to the Executive Committee.

Representative Willett said I know this is a little early but I think some people may have some of the same concerns I have. We have a potential Committee meeting that is only a maybe. Ms. Haskins said we do not need to meet on

September 7 so that meeting is cancelled. You have a scheduled meeting on October 11 at 1:30 p.m., we do have rule review issues, there is also a meeting on November 15 at 1:30 p.m., if we don't have enough of an agenda we will cancel that meeting but I will speak to Senator Cooke about that, and there is a meeting on December 12 at 9:00 a.m. because that is usually a longer meeting where we have to wrap up and finish everything.

3:42 p.m.

The Committee adjourned.